

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

RICHARD BACA,

Petitioner,

v.

No. CV 16-00718 WPJ/CG
No. CR 06-00760 WJ

UNITED STATES OF AMERICA,

Respondent.

**ORDER ADOPTING MAGISTRATE JUDGE'S PROPOSED FINDINGS AND
RECOMMENDED DISPOSITION**

THIS MATTER is before the Court on the Magistrate Judge's Proposed Findings and Recommended Disposition ("PFRD"), (CV Doc. 11), filed September 26, 2016. In the PFRD, the Magistrate Judge recommended that Petitioner *Richard Baca[s] Motion to Correct Sentence Pursuant to 28 U.S.C. § 2255*, (CV Doc. 1), be granted, his sentence be vacated, and he be resentenced. The parties were notified that objections were due within fourteen days. (CV Doc. 11 at 2). The recommendations of the Magistrate Judge are adopted by this Court.

IT IS THEREFORE ORDERED that Petitioner *Richard Baca[s] Motion to Correct Sentence Pursuant to 28 U.S.C. § 2255*, (CV Doc. 1), be **Granted**.

The Court will file an Amended Judgment reflecting a time-served sentence, which will be forwarded to the Bureau of Prisons immediately to process the release of the defendant.



UNITED STATES DISTRICT JUDGE